

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PABLO SOLIS et al.,

Plaintiffs,

– against –

53RD STREET PARTNERS LLC doing
business as REMI RESTAURANT,
ROBERTO DELLEDONNE, and
STEFANO FRITTELLA,

Defendants.

ORDER OF DEFAULT

19 Civ. 11708 (PGG) (SLC)

PAUL G. GARDEPHE, U.S.D.J.:

WHEREAS Plaintiffs commenced this action on December 20, 2019, by filing the Complaint (Dkt. No. 1);

WHEREAS Defendants 53rd Street Partners LLC and Roberto Delledonne have not appeared or responded to the Complaint (Cert. of Default (Dkt. No. 61));

WHEREAS, on April 2, 2020, this Court ordered Defendants 53rd Street Partners LLC and Roberto Delledonne to show cause why an order for default judgment should not be entered against Defendants, and scheduled a hearing for May 28, 2020, which was subsequently adjourned to a telephone hearing on August 6, 2020 (Dkt. Nos. 69, 78);

WHEREAS Plaintiff executed service of the Order to Show Cause on Defendants 53rd Street Partners LLC and Roberto Delledonne on April 7, 2020, and of the adjournment order on July 13, 2020 (Dkt. Nos. 70, 80);

WHEREAS Defendants 53rd Street Partners LLC and Roberto Delledonne filed no opposition to Plaintiff's motion for a default judgment and did not appear at the August 6, 2020 hearing;

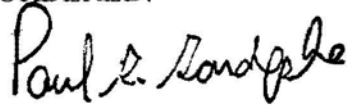
WHEREAS Plaintiff stated at the August 6, 2020 hearing that Defendant Stefano Frittella had not been served and should be dismissed from this action;

It is hereby ORDERED that default is entered against Defendants 53rd Street Partners LLC and Roberto Delledonne, and that this matter is referred to Magistrate Judge Cave for an inquest into damages. The Clerk of the Court is directed not to close this case.

It is further ORDERED that this action is dismissed as to Defendant Stefano Frittella.

Dated: New York, New York
August 6, 2020

SO ORDERED.

A handwritten signature in black ink, reading "Paul G. Gardephe". The signature is written in a cursive, flowing style.

Paul G. Gardephe
United States District Judge